

**North Andover Conservation Commission Meeting Minutes**  
**May 25, 2016**

**Members Present:** Louis A. Napoli, Chairman, Albert P. Manzi, Vice Chairman, Joseph W. Lynch, Jr., John T. Mabon, Douglas W. Saal.

**Members Absent:** Sean F. McDonough, Deborah A. Feltovic.

**Staff Members Present:** Jennifer A. Hughes, Conservation Administrator, Donna M. Wedge Conservation Secretary.

***Pledge of Allegiance***

***Meeting came to Order at: 7:02 PM Quorum Present.***

**Approval of Minutes 4/27/16**

- A motion to accept the meeting minutes of 4/27/16 as drafted and reviewed is made by Mr. Manzi, seconded by Mr. Lynch.
- Vote unanimous.

**NACC#172, 15B Court Street (Grasso Construction Company, Inc.)**

- Jonathan Grasso of Gross Construction Company, Inc. is present.
- The Administrator presents the proposal to connect the second residence on the property to water and sewer from the street. Currently the second unit is tied in from the primary residence. The resource area is an intermittent stream behind the house.
- Mr. Grasso states most of the digging will be in the driveway.
- Mr. Lynch asks why the projects get an exemption under the WPA.
- Administrator states all work is within the existing drive and roadway making it exempt under the WPA.
- Mr. Grasso states the work will require one day of work in the street and one in the driveway. He asks if he can work in the street while waiting for the permit.
- A motion to approve this as small project 4.4.2L is made by Mr. Manzi, seconded by Mr. Lynch.
- Vote unanimous.
- A motion to approve the work as proposed with condition for post-construction inspection and approval to start work in street is made by Mr. Lynch, seconded by Mr. Mabon.
- Vote unanimous.

***Documents:***

- *Application Checklist-Small Project*
- *Small Project Procedures*
- *Copy of Town Check*
- *Narrative and scope of work prepared by Grasso Construction Company, Inc. dated May 18, 2016*
- *Plan of Land prepared by Grasso Construction Company, Inc. dated May 18, 2016*
- *Photos prepared by the North Andover Conservation Department dated May 25, 2016*

### **NACC#1 73, Hickory Hill Road & French Farm Road Trails & Signage (Friends of North Andover Trails)**

- Glenn Aspeslagh and Rob Jones of the Friends of North Andover Trails are present.
- Mr. Aspeslagh presents that the Hickory Hill Road trail is already used by neighbors and only signage is needed. He states the French Farm trail follows the existing sewer easement and only minimal cutting and raking will be needed. He then shows a mockup of the proposed signs that can be made at the High School shop.
- Mr. Aspeslagh states signage could be made of wood or composite material. Signage would only be used at confusing intersections and in fields.
- Mr. Mabon states he is in favor of the project.
- Mr. Manzi asks if the signs will be on trees or posts.
- Mr. Aspeslagh states they will use aluminum nails and leave space for tree growth.
- Mr. Lynch asks if a badge or colored lettering could be used on the trail signs.
- A motion to approve the waiver request for fee waiver is made by Mr. Lynch, seconded by Mr. Manzi.
- Vote unanimous.
- A motion to accept the proposal as a small project 4.4.2E is made Mr. Manzi, seconded by Mr. Lynch.
- Vote unanimous.
- A motion to approve as presented is made by Mr. Manzi seconded by Mr. Lynch.
- Vote unanimous.

#### ***Documents:***

- *Application Checklist-Small Project*
- *Small Project Procedures*
- *Waiver Request of Local Fee*
- *Scope of work prepared by the Friends of North Andover Trails Rob Jones dated April 23, 2016*
- *Aerial Map prepared by the Friends of North Andover Trails dated April 23, 2016*
- *North Andover Conservation Commission Waiver Request Form prepared by Rob Jones dated May 12, 2016*
- *Example of Proposed Wooden or Composite Trail Signs prepared by the Friends of North Andover Trails dated April 23, 2016*

### ***Request for Determination of Applicability***

#### **Route 133 East 1650 Great Pond Road (DPW) (Bartlett Consolidated, LLC) (cont. from 5/11/16)**

- Ryan Bartlett of Bartlett Consolidated, LLC and Jerry Raphael of Bartlett Consolidated are present.
- Mr. Bartlett reviews the proposal to replace 50' of guardrail and a 2' x 4' x 2.5' section of stone wall along the edge of roadway next to the lake.
- The length of the wall to be replaced is discussed.

- Mr. Lynch states he does not have a conflict of interest with this company as previously thought. He states this work is adjacent to a drinking water supply but it is minor work. He states the applicant should be careful with mortar.
- Mr. Bartlett plans to use the same post holes as the original guard rail. The guardrail work will take approximately a day and a half as will the stone wall work. There will be police details.
- Mr. Manzi asks if jersey barriers will remain length. He would prefer to see a boom device installed in the water.
- Ms. Raphael states he will build a plywood platform with a 12" kicker around with a tarp on top to catch mortar. There will be full containment.
- Mr. Napoli states the work should be done next month when water levels are low. The start date will be in June.
- A motion to issue a negative determination #3 with conditions pre & post construction inspections is made by Mr. Lynch, seconded by Mr. Saal.
- Vote 4 to 1 (one opposed – Mr. Manzi)
- Vote unanimous.

***Document:***

- *Photos prepared by the North Andover Conservation Department dated April 27, 2016*

**384 Osgood Street (North Andover Division of Public Works) (Sullivan Engineering Group, LLC)**

- John Sullivan of Sullivan Engineering Group, LLC is present.
- Mr. Sullivan presents the proposal to relocate the existing 24" sewer line to allow for the future addition to the DPW building. The line will move farther from the river. No trees will be removed for the work. The sewer is located at 8' and the trench will likely be 10-11' deep. The work will be done in June/July. Flowable fill will be used to backfill. All soil will be excavated into trucks. 6" stone will be used on the pipe. He states erosion control will be a compost sock and silt sacks.
- Mr. Mabon asks about the existing manhole and the condition of the sewer line.
- Mr. Sullivan states the system is approximately 20-25 years old.
- Mr. Lynch asks about bypass pumping.
- Mr. Sullivan states he does not have that detail but expects the pipe to be laid in the dry with system to go live after last connection.
- Mr. Lynch asks if the work will be done off-peak.
- Mr. Sullivan states yes.
- A motion to issue negative determination #2 with conditions for pre and post-construction inspections is made by Mr. Mabon, seconded by Mr. Lynch.
- Vote unanimous.

***Documents:***

- *Application Checklist-Request for Determination of Applicability*
- *WPA Form I-Request for Determination of Applicability*
- *General Information*
- *Project Description*
- *Signatures and Submittal Requirements dated May 10, 2016*
- *Notification to Abutters*

- *Certified Abutters List prepared by the North Andover Assessors Department dated May 2, 2016*
- *Area of minimal flood hazard zone x prepared by FIRM Map Flood Insurance panel 2500C0228F effective July 3, 2012*
- *USGS Map dated May 2, 2016*
- *Dewatering Detail*
- *Plan of Land prepared by Sullivan Engineering Group, LLC dated May 2, 2016*

#### **400 Willow Street, (Comcast) (Dewsnap Engineering Associates LLP)**

- The Applicant Ed Thomson of Comcast is present.
- The Administrator presents the project to bring Comcast cable in conduit from Willow Street to the building at 400 Willow Street. The majority of the work is within pavement with only a small amount in existing lawn.
- Mr. Mabon asks if all work is outside 50-foot No-Build zone.
- Mr. Thomson states is.
- Mr. Manzi asks if 40" PVC will be used.
- Mr. Thomson confirms.
- Mr. Saal states the gas line appears to be in conflict with the proposed cable installation.
- Mr. Thomas states this area would be hand dug to be sure there are no problems.
- A motion to issue a negative determination #3 with a condition for post-construction inspection is made Mr. Manzi, seconded by Mr. Mabon.
- Vote unanimous.

#### ***Documents:***

- *Application Checklist-Request for Determination*
- *WPA Form 1-Request for Determination of Applicability*
- *Letter for Request for Determination of Applicability prepared by Dewsnap Engineering Associates, LLP dated May 2, 2016*
- *Letter Request for Determination of Applicability prepared by Dewsnap Engineering Associates, LLP dated May 2, 2016*
- *General Information*
- *Project Description*
- *Signatures and Submittal Requirements dated May 3, 2016*
- *Proposed Comcast Underground Conduit Plan prepared by Dewsnap Engineering Associates, LLP dated April 29, 2016*

#### ***Notice of Intent (NOI)***

#### **242- , 3 Massachusetts Avenue (Merrimack Oil Company) (Web Engineering Associates, Inc.)**

- Robert Coluccio of Web Engineering Associates, Inc. is present.
- Administrator states the proposal is to replace existing underground storage tanks with new double walled fiberglass tanks.
- Mr. Coluccio reviews the proposal to improve the tanks in the same location. He states there is an easement for the tanks that are located on 17 Mass Ave. All work will be at the same

elevation. New concrete will be placed on top. A new shutoff will be located at the low point in the pavement where there is potential for a spill to reach the resource area.

- The Administrator reviews the resource areas on the site and mentions the frac tank proposed for dewatering.
- Mr. Mabon asks if the current tanks have been tested for leaks.
- Mr. Coluccio there is monthly testing and currently no leaks. He states there are wells on the old service station site. There will be additional testing when the tanks are removed. There will be a site assessment by an LSP including vapor testing.
- Mr. Manzi asks how long soil stockpiles will be on site.
- Mr. Coluccio states the soils could be there several weeks. They would be on poly sheeting and covered. None would be in the 50 NBZ. The spill prevention will be activated whenever there is oil handling. That portion of the project will be completed first.
- Mr. Mabon asks about the O&M for the site. He also asks about above ground storage.
- Mr. Coluccio states significantly more land is required for above ground. The setbacks are also different. DEP prefers underground tanks given the resource area (Riverfront).
- Mr. Mabon worries about underground failure.
- Mr. Coluccio states the safety record for double walled fiberglass tanks is exceptional.
- Mr. Napoli asks if the fueling area is capped in concrete with a berm?
- Mr. Coluccio states there is a 5 gallon spill bucket at the hose connection. He states there has been no record of failure since the 80's. He states a contained pad would collect stormwater.
- Mr. Lynch states that he understands the business and the need for protections at the dispensing areas. He asks about tank buoyance.
- Mr. Coluccio states the actual tank design is not presented. Deadmen with straps with cover and mat for redundancy will be used.
- Mr. Lynch asks why there is a chemical engineering stamp on the plans. This does not meet the filing requirements. He is uncomfortable with spill containment. He asks under flood conditions what good is containment.
- Mr. Coluccio states the entire project is in floodplain. He would like to know what additional information the Commission needs. He states the spot grades have been grayed out but can be enhanced.
- The Administrator asks if it would be possible to berm more of the back of the site.
- Mr. Coluccio references the SPCC plan. It is not required but the site has one and it can be audited by the EPA.
- Mr. Saal agrees with previous comments. He states that it is difficult to read the grades and he cannot tell if all drainage follows the arrows.
- Mr. Napoli states the commission should give some direction to the applicant.
- Mr. Manzi states his concern is for the shutoff valve area. It should be broadened.
- Mr. Coluccio states he can extend the containment.
- Mr. Mabon states he would like to see spill control procedures so the right people know how to use the system at the right time. Employees should know the instructions for closing the valve.
- Mr. Coluccio states he will update the SPCC plan.
- Mr. Saal states there is cracking within the pavement and the area requires repaving.
- Mr. Coluccio states he will look into that.

- A motion to grant the request for a continuance to the June 8, 2016 meeting is made by Mr. Manzi, seconded by Mr. Lynch.
- Vote unanimous.

***Documents:***

- *Application Checklist-Notice of Intent*
- *WPA Form 3-Notice of Intent*
- *General Information*
- *Other Applicable Standards and Requirements*
- *Additional Information*
- *Signatures and Submittal Requirements*
- *NOI Wetland Fee Transmittal Form*
- *Introduction*
- *Notice of Intent/Wetland Applicability*
- *Grading and Impervious Surface*
- *Additional Improvements: Spill Containment*
- *Construction Dewatering*
- *Massachusetts Stormwater Checklist*
- *Locus Map dated May 13, 2016*
- *Photos prepared by the North Andover Conservation Department dated May 24, 2016*
- *Site Plan prepared by Web Engineering Associates, Inc. dated May 4, 2016*
- *Photos prepared by Web Engineering Associates, Inc., dated May 4, 2016*

**242- , 1920 Great Pond Road (North Pump Station) (DPW) (Woodard & Curran)**

- Nathan Little of Woodard & Curran and Kyle Gerlach of Woodard & Curran are present.

***Documents:***

- *Application Checklist-Notice of Intent*
- *WPA Form 3-Notice of Intent*
- *Copy of the State and Town Check*
- *Additional Information*
- *Signatures and Submittal Requirements*
- *NOI Wetland Fee Transmittal Form*
- *Stormwater Management and Erosion and Sedimentation Control Requirements*
- *North Andover Zoning Bylaw*
- *Natural Heritage and Endangered Species Program*
- *Massachusetts Historical Commission*
- *North Andover Historical Commission*
- *Massachusetts Drinking Water-Surface water supply protection (310CMR 20.22B) and Massachusetts surface water quality standards (314 CMR 4.00)*
- *Massachusetts Stormwater Management Standards and Erosion Control Bylaw and Regulations*
- *Resource Areas and Performance Standards*
- *Massachusetts Wetlands Protection Act (310 CMR 10.00)*
- *North Andover Wetlands Protection Bylaw and Regulations*
- *Proposed Construction Activities*

- *Table 1-1: Asbestos-Containing Building Materials*
- *Table 1-2: Lead Containing Materials*
- *Project Narrative dated May 2016*
- *Project Location and Background*
- *Figure 1-1: Aerial View of North Pump Station dated May 2016*
- *Figure 1-3: North Wall of the Pump Station*
- *Figure 1-2: USGS Locus Map dated May 2016*
- *Figure 1-4: Interior of the Pump Station dated May 2016*
- *Letter prepared by Woodard & Curran dated May 13, 2016*
- *Photos prepared the North Andover Conservation Department dated March 9, 2016*
- *Notification to Abutters Form*
- *Certified Abutters List prepared by the North Andover Assessors Department dated May 10, 2016*
- *950 CMR: Office of the Secretary of the Commonwealth*
- *Aerial Map of the North Pump Station prepared by Woodard & Curran dated May 2016*
- *North Andover Wetlands Regulations Riverfront Area Map prepared by Woodard & Curran dated June 2, 2003*
- *Town of North Andover Zoning Map dated 2015*
- *Firm Aerial Map prepared by Woodard & Curran dated May 2016*
- *FEMA Flood Map prepared by Woodard & Curran dated May 2016*
- *Letter prepared by ProScience Analytical Services, Inc. laboratory testing dated February 2, 2016*
- *Letter prepared by ProScience Analytical Services, Inc. Laboratory Report dated February 29, 2016, March 1, 2016*

**242-1603, COC Request, 315 South Bradford Street (Smolak Farm LLC H Michael Smolak, Jr.) (cont. from 5/11/16) (Request to cont. to 6/8/16)**

- A motion to grant the request for a continuance to the June 8, 2016 meeting is made by Mr. Mr. Manzi, seconded by Mr. Mabon.
  - Vote unanimous.
- Document:**
- *E/Mail prepared by H Michael Smolak request a continuance to the June 8, 2016 meeting dated May 24, 2016*

**NACC#137, COC Request, 240 Charles Street (Greater Lawrence Sanitary District) (Rimmer Environmental Consulting, LLC)**

- The Administrator reviews the project and the final stabilization. Some areas still need additional seed but are over stone.
  - A motion to issue the COC is made by Mr. Manzi, seconded by Mr. Lynch.
  - Vote unanimous.
- Documents:**
- *Letter prepared by the Greater Lawrence Sanitary District request for certificate of Compliance dated May 16, 2016*
  - *WPA Form 8A-Request for Certificate of Compliance*
  - *Photo prepared by Rimmer Environmental Consulting, Inc. dated May 17, 2016*

- *Letter prepared by Rimmer Environmental Consulting, Inc. request for certificate of compliance dated May 17, 2016*

**242-95, PCOC Request, 164 Bridges Lane (Lot 13A) (DiBlasi Law)**

- A motion to issue the PCOC for 164 Bridges Lane (Lot 13A) only is made by Mr. Manzi, seconded by Mr. Mabon.
- Vote unanimous.

***Documents:***

- *Letter prepared by DiBlasi Law request for Partial Certificate of Compliance dated May 18, 2016*
- *WPA Form 8A-Request Partial Certificate of Compliance*

**242-140, PCOC Request, 164 Bridges Lane (Lot 13A) (DiBlasi Law)**

- The Administrator states the property has a COC for house construction. It should be released from the subdivision. A site visit was conducted and there are no violations.
- A motion to issue the PCOC for 164 Bridges Lane (Lot 13A) only is made by Mr. Manzi, seconded by Mr. Mabon.
- Vote unanimous.

***Documents:***

- *Letter prepared by DiBlasi Law request a partial certificate of compliance dated May 18, 2016*
- *WPA Form 8A-Request Partial Certificate of Compliance*

**Enforcement Order-146/148 Main Street (Smith/Sutton Pond Condominium Trust)**

- The Commission discusses erosion control and possible containment for the soil.
- No one is present to address the violation. No action taken per the North Andover Conservation Commission.

**242-1261, Enforcement Order/COC Request, Cotuit & Leyden Streets (Robert Burke. Estate of Robert J. Burke) (TTI Environmental, Inc.) (cont. from 5/11/16)**

- The Administrator states all that is needed is the as-built.
- A motion to grant the request for a continuance to the June 8, 2016 meeting is made by Mr. Manzi, seconded by Mr. Mabon.
- Vote 4 to 1 (Mr. Lynch abutter)

**Discussion –Riverview Street-New Utility Poles**

- Per the North Andover Conservation Commission must file RDA for the poles installation.

***A motion to adjourn the meeting at: 8:50 PM is made by Mr. Manzi, seconded by Mr. Mabon. Vote unanimous.***